

Case No.: A-10014-C

Applicant: FCD – Development, LLC
(Project Name – Brandywine Crossing
Phase, IIA)

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,
SITTING AS THE DISTRICT COUNCIL

ZONING ORDINANCE NO. 10 - 2009

AN ORDINANCE to amend the Zoning Map for the Maryland-Washington Regional District in Prince George's County, Maryland.

WHEREAS, Application No. A-10014 was filed for 3.6 acres of land in the I-3 Zone, located on the eastern side of U.S. Route 301, approximately 1,260 feet north of Matapeake Business Drive, Brandywine, Maryland, to rezone the property to the C-S-C Zone; and

WHEREAS, the application was advertised and the property posted prior to public hearing, in accordance with all requirements of law; and

WHEREAS, the application was reviewed by the Technical Staff and the Planning Board, which have filed recommendations with the District Council; and

WHEREAS, a public hearing was held before the Zoning Hearing Examiner, who filed recommendations with the District Council; and

WHEREAS, having reviewed the record, the District Council has determined that the application should be approved, and the subject property should be rezoned to the C-S-C Zone; and

WHEREAS, as the basis for this action, the District Council adopts the recommendations of the Zoning Hearing Examiner as its findings of fact and conclusions of law in this case; and

WHEREAS, to protect adjacent properties and the general neighborhood,
A-10014-C is approved subject to conditions.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

SECTION 1. The Zoning Map for the Maryland-Washington Regional District in Prince George's County, Maryland, is hereby amended by rezoning the property that is the subject of Application No. A-10014-C from the I-3 Zone to the C-S-C Zone.

SECTION 2. Application No. A-10014-C is approved, subject to the following conditions:

1. Prior to issuance of permits for the site, the Applicant shall obtain approval of a detailed site plan to address views from US 301, connections to adjoining development, and compatibility with the architecture and development standards of the Brandywine Crossing development.
2. The subject property shall not have direct driveway access to US 301/MD 5, unless the Planning Board expressly finds there to be good cause for such access at the time of subdivision review.

SECTION 3. This Ordinance shall take effect initially on the date of its enactment, as conditionally approved, and shall become final and effective when the applicant accepts in writing the conditions in Section 2.

Enacted this 8th day of June 2009, for initial approval, by the following vote:

In Favor: Council Members Bland, Campos, Dean, Exum, Harrison, Knotts and Olson.

Opposed:

Abstained:

Absent: Council Members Dernoga and Turner.

Vote: 7-0

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND,
SITTING AS THE DISTRICT COUNCIL
FOR THAT PART OF THE MARYLAND-
WASHINGTON REGIONAL DISTRICT IN
PRINCE GEORGE'S COUNTY,
MARYLAND

BY: _____
Marilynn M. Bland, Chairperson

ATTEST:

Redis C. Floyd
Clerk of the Council

Case No.: A-10014-C

Applicant: FCD – Development, LLC
(Brandywine Crossing Phase, 11A)

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,
SITTING AS THE DISTRICT COUNCIL

FINAL CONDITIONAL ZONING APPROVAL

AN ORDINANCE to incorporate the applicant's acceptance of conditional zoning and to grant final conditional zoning approval.

WHEREAS, the District Council in approving Application No. A-10014-C, to rezone the subject property from the I-3 Zone to the C-S-C Zone, attached conditions; and

WHEREAS, the District Council, having reviewed the application and the administrative record, deems it appropriate to accept the applicant's consent to the conditions and to approve final conditional rezoning.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

SECTION 1. Final conditional zoning approval of Application No. A-10014-C is hereby granted. The applicant's written acceptance of the conditions referred to above, at the time of initial conditional zoning approval, is hereby incorporated into this amendment of the Zoning Map for the Maryland-Washington Regional District in Prince George's County, Maryland.

SECTION 2. Use of the subject property as conditionally reclassified shall be subject to all requirements in the applicable zones and to the requirements in the conditions referred to above. Failure to comply with any stated condition shall constitute a zoning violation and shall be sufficient grounds for the District Council to annul the rezoning approved herein; to

revoke use and occupancy permits; to institute appropriate civil or criminal proceedings; or to take any other action deemed necessary to obtain compliance.

SECTION 3. This Ordinance is effective June 29, 2009 the date of receipt of the applicant's acceptance of the conditions imposed.

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON REGIONAL
DISTRICT IN PRINCE GEORGE'S COUNTY,
MARYLAND

BY: _____
Marilynn M. Bland, Chairperson

ATTEST:

Redis C. Floyd
Clerk of the Council